



Request For Continued Examination (RCE) Transmittal

Address to:
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Commissioner for Patents
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Alexandria, VA 22313-1450

Application Number	09/844,058
Filing Date	04/27/2001
First Named Inventor	Ian Cooper
Art Unit	1771
Examiner Name	Ula Corinna Ruddock
Attorney Docket Number	D1815-00025DIV1

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GROUP 1700

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

- ii. ☐ Other _____

- b. ☒ Enclosed

- i. ☒ Amendment/Reply

- iii. ☐ Information Disclosure Statement (IDS)

- ii. ☐ Affidavit(s)/ Declaration(s)

- iv. ☒ Other Express Mail Certificate;

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

- a. ☐ Deposit Account No. _____

- i. ☐ RCE fee required under 37 CFR 1.17(e)

- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

- iii. ☐ Other _____

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750.00 OF

84.00 OF

- b. ☒ Check in the amount of \$ 750.00 and 84.00 enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Melanie S. McPeck Goddard Registration No. (Attorney/Agent) 46,732

Signature Melanie S. McPeck Goddard Date 5/27/03

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

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Date

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Cooper et al.**

Examiner: **Ruddock, Ula Corinna**

Serial No.: **09/844,058**

Group Art Unit: **1771**

Filed: **April 27, 2001**

For: **REINFORCED CEMENTITIOUS BOARDS AND METHODS OF MAKING THE SAME**

I, MELANIE S. GODDARD, CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS EXPRESS MAIL POST OFFICE TO ADDRESSEE SERVICE LABEL NO. EV062338990US UNDER 37 CFR 1.10 IN AN ENVELOPE ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON DC 20231.

ON

5/27/03
Melanie S. McPeck Goddard
MELANIE S. MCPECK GODDARD

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Madam:

AMENDMENT

The following amendment and remarks are responsive to the Final Official Action dated **February 25, 2003 and Advisory Action dated May 9, 2003.**

In the Claims:

Claims 1-3, 5-9 and 36-39 are pending in the present application. Please substitute for pending claims 1, 37 and 39, the claims having the same number set forth below. New claims 40 – 46 have been added. Claims 2-3, 5-9 and 38 remain unchanged as set forth below.